APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,835	08/05/2004	Adam D. Dirstine	977.066US1	6749

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EXAMINER
HUYNH, THU V

ART UNIT	PAPER NUMBER
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action *Before the Filing of an Appeal Brief*	Application No. 10/710,835	Applicant(s) DIRSTINE, ADAM D.	
	Examiner Thu V. Huynh	Art Unit 2178	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>16 November 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

    b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

    Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b)☐ They raise the issue of new matter (see NOTE below);

    (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *16-26 and 31-38*.

    Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

Thu V. Huynh
12/07/07

Continuation of 11. does NOT place the application in condition for allowance because:
Applicants argue with respect to claim 16 that "because, Cseri use a binary format, Cseri does not teach or even suggest "a compression module configured to compress XMLdocument and to convert compressed XML document into text so as to form compressed valid XML documents" (Remarks, page 8).
This is not persuasive. Cseri teaches one or more computers using program modules, wherein the functionality of the program modules may be combined (Cseri, [0020]). Computer compresses XML document by tokenizing the XML to produce XML binary formatted and converting the XML binary formatted to XML document for display to a user computer (Cseri, [0014], [0020] [0063] "XML parser 310b may be utilized as a means for parsing and converting to text the binary formatted XML document" (Cesri, [0063]). Therefore, Cseri's teaching perfectly matches the claimed language.

Applicants argue with respect to claim 17 that dependent on claim 16 that the office action fails to establish a proper prima facie case of obviousness (Remarks, page 8, §103 Rejection of the Claims).
However, as explained above, Cseri's teaching perfectly matches the claimed language.

Applicants argue with respect to claim 18-19 that "combination of Cseri, Girardot and Tycksen fails to describe or suggest a 'compression module that includes a binary to ASCII text encoding algorithm,' for example such as described and claimed by Applicant in claim 18" and "Tycksen does not describe or suggest, 'a compression module to compress XML documents into compressed valid XML document" (Remarks, page 9, section "2").
This is not persuasive. Tycksen teaches converting binary data to ASCII text (Tycksen, col9, lines 7-15). Therefore, Tycksen teaches converting a binary to ASCII text encoding algorithm. Cseri teaches a computer using program modules, wherein the functionality of the program modules may be combined (Cseri, [0020]). Therefore, the combination of Cseri and Tycksen would have converted the binary formatted XML to ASCII text for display to the user computer.

Applicants argue that the combination of Cseri and Sullivan fails to teaches "a decompression module to decompress compressed valid XML document as recited in claim 20 and similarly recited in claim 31".
This is not persuasive. Sullivan teaches decompressing a token XML document to XML (Sullivan, fig.4, col.4, lines 64-66; decompressing token XML document to recreate XML document). Therefore, the combination of Cseri and Sillivan would have decomprssing the binary formatted XML to recreate the XML document from the token XML document as Sullivan disclosed and perfectly matches the claimed language.

Applicants argue that "one of ordinary skill at the time the invention would not have reasonably looked to combine Cseri with Sullivan"
This is not persuasive. Cseri teaches compressing an XML document by tokenizing the XML document to produce XML binary and converting the binary XML document to a valid XML document (Cseri, [0014], [0020] [0063]. Sullivan teaches compressing an XML document by encoding the sequence of tokens and decompressing the compressed XML document using the same encoding algorithm used in the compression to recreate the XML document (Sullivan, col.4, lines 26-66). One ordinary skill in the art would have combined Sullivan's teaching and Cseri's teaching to reduce the size of the tokenized XML document as well as to reduce the parsing process, since using encoding algorithm for sequence of tokens to reduce the size of the tokenized XML document as Sullivan disclosed.

Arguments for claims 22 and 26 are same as arguments provided in independent on claim 16. However, Cseri teaches limitation of claim 16 as explained above.

Arguments for claim 34 are same as arguments provided in independent on claim 31. However, Cseri and Sullivan teach limitation of claim 31 as explained above.